



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: SAY ET AL.
Serial No.: 09/034,372
Filed: MARCH 4, 1998
Due Date: AUGUST 12, 1998
Title: ELECTROCHEMICAL ANALYTE SENSOR

Examiner: UNKNOWN
Group Art Unit: 1709
Docket: 12008.20US01

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described hereinabove, are being deposited in the United States Postal Service, as first class mail, with sufficient postage, in an envelope addressed to: Box Missing Parts Assistant Commissioner for Patents, Washington, D.C. 20231, on July 23, 1998.

By: Bruce E. Black

Bruce E. Black

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Verified statement to establish small entity status to TheraSense Inc.
- ☒ Verified statement to establish small entity status to E. Heller & Company
- ☒ Signed Combined Declaration and Power of Attorney
- ☒ Check(s) in the amount of \$2,053.00, for patent application filing fee
- ☒ Check(s) in the amount of \$65.00, for missing parts surcharge
- ☒ Other: Notice to File Missing Parts of Application – Part 2 Form PTO-1533
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT, GOULD, SMITH, EDELL,
WELTER & SCHMIDT
3100 Norwest Center, Minneapolis, MN 55402
(612) 332-5300

By: Bruce E. Black

Name: Bruce E. Black
Reg. No.: P-41,622
BEB:PSTkaw



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY/BOOKING FEE
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09/034,372 03/04/98 SAY 12008.20US01

MERCHANT GOULD SMITH EDELL
WELTER & SCHMIDT
3100 NORWEST CENTER
90 SOUTH SEVENTH STREET
MINNEAPOLIS MN 55402-4131

0372/0612

[Signature]

NOT ASSIGNED

1709

DATE MAILED 06/12/98

NOTICE TO FILE MISSING PARTS OF APPLICATION Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM the DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 4236.00.

- ☒ 1. The statutory basic filing fee is:
- ☒ missing.
 - ☐ insufficient.
- Applicant must submit \$ 790.00 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- ☒ 2. Additional claim fees of \$ 3316.00, including any multiple dependent claim fees, are required.
- \$ 948.00 for 12 independent claims over 3.
- \$ 2332 for 106 dependent claims over 20.
- \$ _____ for multiple dependent claim surcharge.
- Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.
- ☒ 3. The oath or declaration:
- ☒ is missing or unexecuted.
 - ☐ does not cover the newly submitted items.
 - ☐ does not identify the application to which it applies.
 - ☐ does not include the city and state or foreign country of applicant's residence.
- An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.
- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.
- A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
- ☐ 8. The application does not comply with the Sequence Rules.
- See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."
- ☐ 9. OTHER _____

Direct the reply and any questions about this notice to "Attention: Box Missing Parts"

A copy of this notice MUST be returned with the reply.

Kevin Davis (NAT)
Customer Service Center
Initial Patent Examination Division (703) 308-1202

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